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Federal Communications Commission  
Washington, D.C. 20554  
13 OCT 1994

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In Reply Refer To:  
7300-O/1700A3

Honorable Paul Simon  
United States Senator  
230 South Dearborn  
Kluczynski Bldg., 38th Floor  
Chicago, Illinois 60604

DOCKET FILE COPY ORIGINAL

Dear Senator Simon:

This is in reply to your letter of August 24, 1994, in which you inquired on behalf of your constituent, James McCarthy, President of the Fraternal Order of Police, Waukegan Lodge No. 5, regarding planned rule changes affecting police and other mobile radios. Those rule changes were proposed in the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). That Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals, a discussion paper released March 1, 1993, and a Public Notice dated April 18, 1994. Essentially, we proposed numerous changes to enable expanded use of existing frequency bands. Although the goals of the proceeding were well received, the specific changes have proved controversial, and we have not yet made a decision. As the Public Notice points out, we did not propose that any user move to another frequency band. Furthermore, we intend to establish a lengthy transition that will minimize the cost to all licensees, including public safety agencies. In sum, President McCarthy should not hesitate to purchase new radios based on a fear that those radios would require a second replacement in the next few years.

Thank you for your interest in this proceeding. We expect to issue final rules this winter. If you or President McCarthy have further questions, please contact Dr. Joseph Levin of my staff at (202) 632-6497.

cc:

Sincerely,

LM&M Division  
Docket Files, (2 copies) Room 222  
P&P Branch (Chron) File Copy  
File Copy (Fertig)

Edward R. Jacobs  
Deputy Chief, Land Mobile and  
Microwave Division

DFertig/df/R/Im:PR  
j:/congress/9404310  
Enclosures

United States Senate  
WASHINGTON, DC 20510-1302

*PRB  
frequency  
4/3/8*

August 24, 1994

Ms. Judith Harris  
Director  
Office of Legislative Affairs  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20554

Dear Director Harris:

I received the enclosed correspondence from my constituent, James McCarthy, concerning the issuing of new frequencies and ways we may assist Waukegan police officers. For a more detailed explanation, please see the attached information.

I would appreciate your looking into this matter and advising Michael Cabonargi, staff assistant in my Chicago office, of your findings as soon as possible.

Thank you for your cooperation and assistance.

Cordially,



Paul Simon  
U. S. Senator

230 South Dearborn (3892)  
Chicago, Illinois 60604  
(312) 353-4952

PS/mmc



## Fraternal Order of Police

Waukegan Lodge No. 5

Post Office Box 515

Waukegan, Illinois 60079

708-249-1666

**PRESIDENT**

*JAMES MC CARTHY*

**1ST VICE PRESIDENT**

*MICHAEL JACKSON*

**2ND VICE PRESIDENT**

*ANGELO CALIENDO*

**SECRETARY / TREASURER**

*TIMOTHY ZEGAR*

**SGT. AT ARMS**

*WILLIAM VALKO*

**CHAPLAIN**

*HERBERT TURNEY*

**IMMEDIATE PAST PRESIDENT**

*ALLEN J. BOOTH, JR.*

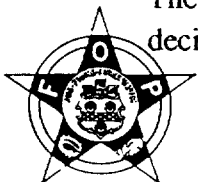
State Senator Paul Simon  
230 S. Dearborn Rm. 3982  
Kluczynski Bldg.  
38 th Floor  
Chicago, Illinois 60604

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DEAR Senator Simon,

I am writing this letter to enlist your aid in a matter concerning the Federal Communications Commission and our police radio system. I would like to give you a short history of the problem. I am the President of Fraternal Order of Police . Lodge 5. This is the bargaining agent for Waukegan Police officers. Over the last several years our communication system (police radios) have been falling apart and is badly outdated This system is in dire need of being replaced. We have been informed that the company cannot get parts for our system and that every repair is done in a band aid fashion. Our department has even gone to the extent of buying spare radios from other departments.

We have held safety management meetings with the city and communications personnel and have been informed that the administration has the money to completely replace the system. The problem or hang up is that the FCC has not yet designated a new frequency band for us and we are being told that this may be two years away. The problem with this designation is that it will completely change our radio frequency band and the current radio equipment will not work on the new band even if our system is replaced. The city states it cannot justify spending the amount that it will cost to replace our aging system on the current band, only to have the FCC give us a new band in the near future and we would then have to replace everything a second time. The most practical solution would be to have the FCC expedite their decision and decide what band they are going to issue to us.



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## Fraternal Order of Police

Waukegan Lodge No. 5

Post Office Box 515

Waukegan, Illinois 60079

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**IMMEDIATE PAST PRESIDENT**

*ALLEN J. BOOTH, JR.*

We are enlisting your help in this matter to determine if the FCC is in fact actually going to issue new frequencies, when they plan to act, and if you could please intervene on our behalf to expedite this matter before some one gets hurt due to radio malfunctions. I wish to thank you in advance for any attention you can devote to this matter.

Respectfully submitted

James McCarthy

President

Fraternal Order of Police

Waukegan Lodge # 5



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